

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Andrew Miller

3450376th

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 2:20-645

(Number to be assigned by Court)

Warden,
SDV.

(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No ✓

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

-
3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

-
6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement:

- A. Is there a prisoner grievance procedure in this institution?

Yes No

- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes _____ No

- C. If you answer is YES:

1. What steps did you take? _____

2. What was the result? _____

- D. If your answer is NO, explain why not:

Petition

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

- A. Name of Plaintiff: Andrew Miller

Address: 1001 Centre Valley Court, Waco

- B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

- C. Defendant: Kardon
is employed as: _____
at South Central Regional Jail
- D. Additional defendants: KOL Centre Area
Charleston, WV
ESSA

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

West Virginia Supreme Court

Andrew Miller

vs

Warden

* United States Constitution Fourteenthth Amendment + due process of Clause 3 West Virginia Constitution art III Section 10th due process of Clause, 3 Equal Protection States clearly no one is to be put on trial twice for one offence!

* Double jeopardy - is putting one on trial for an offence one has already been tried for.

* On Oct 4th 2019, the Petitioner had a preliminary parole violation for possession of a firearm. The Preliminary Hearing Examiner found probable cause to put the Petitioner in front of the Parole board for revocation.

* On Nov 4th 2019 the Parole Board revoked the Petitioner's Parole with a three month set up.

* On Feb 15, 20 the Petitioner made parole with the stipulation to complete the D.A.C. class thinking for a change.

On April 15, 20 the Petitioner Completed the D.A.C. class & Return the South Central Regional Jail to face the Criminal charges of Possession of a Firearm that the Parole Board Revoked the Petitioners Parole for.

On July 10, 20 the Petitioner Plead guilty to the Criminal Charge & was sentenced to Home Confinement.

On Aug. 27, 20 the Petitioner Violated the Home Confinement by failing a piss test.

On Sept. 9, 20 the Court Revoked the Petitioners Home Confinement & Sentence Petitioner to three years.

On Sept. 21, 20 the Parole Board Charged the Petitioner with the Same Violation as they done one year ago for Possession of a Fire arm, this violates double jeopardy [Ex. i]

On Sept. 21, 20 the Parole Board also charge Petitioner with the Same Violation as Home Confinement for a dirty gown. this violates double jeopardy. [Ex. i]

NO One is subject to be punish twice for the Same Crime nor Violation. IN this case the Petitioner's Parole was Revoked for this Same Firearm the Parole Board is trying to Revoke the Petitioners Parole for

Again on Oct 17, 20, The Petitioner Home
Confinement was revoked for the dirty
gouging that the Parole Board is using
use on Oct. 17, 20 to Revoke the Petitioner
Parole. This is double jeopardy and violate
the law, this Petitioner Request this Court
to Stop the Parole Boards Revocation dates
& Reinstate Petitioners Parole.

Andrew Miller
1001 Centre Way
Chas, WV 25301

Certificate of Service
Sept. 21, 20
Mcbeas — Corpus
Grounds:
Double jeopardy

IV. Statement of Claim (continued):

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

*Eliminate the Parole Board Parole
Violations and Reinstate the Petitioners
Parole.*

V. Relief (continued)):

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

- B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____

No ✓

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons:

Habeas Corpus
Appoints Counsel.

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes ✓

No _____

If so, state the lawyer's name and address:

Mr. State Justice

Signed this 9 day of CO, 2020.

[Signature]

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Sept. 20, 20
(Date)

[Signature]

Signature of Movant/Plaintiff

Signature of Attorney
(if any)

Take this as a
Nicolas Capas
Petition.

~~West Virginia Supreme Courts~~
~~US~~

~~Attorney~~

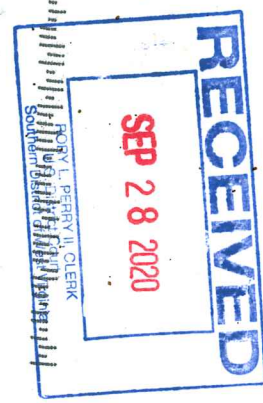
~~WEST VIRGINIA SUPREME COURTS~~
~~US~~

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*United States
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Charleston WV
25301*

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SOUTH CENTRAL REGIONAL JAIL

1001 CENTRE WAY

CHARLESTON, WV 25309



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